



Dated: 12/19/2022

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE**

<b>In re:</b>	)	
	)	<b>Case No. 3:22-bk-02944</b>
<b>Robert Estrada, III, and</b>	)	<b>Chapter 11, Subchapter V</b>
<b>Susan Alice Estrada,</b>	)	<b>Judge Randal S. Mashburn</b>
	)	
<b>Debtors.</b>	)	

**AMENDED ORDER ESTABLISHING CONFIRMATION PROCEDURES,  
SETTING DEADLINES, AND APPROVING FORM OF BALLOTS**

On December 12, 2022, the Debtors filed the *Debtors' Chapter 11 Plan of Reorganization (Subchapter V)*. The order entered at Doc. 30 establishing confirmation procedures is now moot in light of the withdrawal of the prior plan and the filing of the *Debtors' First Amended Plan* (the "Amended Plan") on December 16, 2022. That prior Order is superseded by this Order.

Pursuant to 11 U.S.C. § 1181(b), 11 U.S.C. § 1125 does not apply in this Subchapter V case unless the Court orders otherwise. Therefore, the Debtors will not be required to file a separate disclosure statement, and a hearing on confirmation of the Amended Plan under 11 U.S.C. §§ 1191(a) or (b) shall be held following notice as provided herein. However, any party may, as a part of the confirmation process, object to the adequacy of the disclosures in the Amended Plan.

In consideration of the Amended Plan, as filed, the Court finds that the confirmation process should continue with the entry of this Order setting deadlines and a hearing on confirmation. Therefore, the Court hereby Orders as follows:

1. The Debtors shall be, and hereby are, authorized to solicit votes for acceptance or rejection of the Amended Plan.

2. **January 20, 2023**, is hereby fixed as the last day for serving ballots accepting or rejecting the Amended Plan. The ballot attached as Exhibit A to this Order is hereby approved. Ballots shall be mailed to Lefkovitz and Lefkovitz, PLLC, 908 Harpeth Valley Place, Nashville, TN 37221, or otherwise emailed to slefkovitz@lefkovitz.com prior to the deadline set forth above.

3. **January 20, 2023**, is hereby fixed as the last day for filing and serving written objections to confirmation of the Amended Plan. A copy of any such objection must be served on counsel for the Debtors at the address set forth above, on the Subchapter V Trustee, and on the United States Trustee.

4. **January 27, 2023**, is hereby fixed as the last day for the Debtors to file any written response to any objection to confirmation of the Amended Plan.

5. The hearing on confirmation of the Amended Plan shall be held on **January 31, 2023**, at **9:30 a.m.** at the United States Bankruptcy Court for the Middle District of Tennessee, **Courtroom 1, Second Floor, Customs House, 701 Broadway, Nashville, Tennessee 37203**.

6. Within three (3) business days after entry of this Order, the Debtors shall serve a copy of this Order, the Amended Plan, and a ballot for voting on acceptance or rejection of the Amended Plan on all creditors, equity security holders, and other parties in interest, including the United States Trustee and the Subchapter V Trustee in accordance with Fed. R. Bankr. P. 2002.

7. Except as modified herein, all applicable rules of bankruptcy procedure shall govern the submission and delivery of documents related to confirmation of the Amended Plan.

IT IS SO ORDERED.

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<b>In re:</b>	)	
	)	<b>Case No. 3:22-bk-02944</b>
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<b>Susan Alice Estrada,</b>	)	<b>Judge Randal S. Mashburn</b>
	)	
<b>Debtors.</b>	)	

**BALLOT FOR ACCEPTING OR REJECTING  
CHAPTER 11 AMENDED PLAN OF REORGANIZATION**

On December 16, 2022, the Debtors filed the *Debtors' First Amended Plan* (the "Amended Plan"). A separate Disclosure Statement is not being required pursuant to 11 U.S.C. § 1125(f)(1). The Amended Plan provides information to assist you in deciding how to vote your ballot. If you do not have an Amended Plan, you may obtain a copy from Steven L. Lefkovitz, Lefkovitz and Lefkovitz PLLC, 908 Harpeth Valley Place, Nashville, Tennessee 37221, telephone number (615) 256-8300, or email address slefkovitz@lefkovitz.com.

You should review the Amended Plan before you vote. You may wish to seek legal advice concerning the Amended Plan and your classification and treatment under the Amended Plan. If you are a secured creditor, an unsecured priority creditor, or general unsecured creditor you have each been separately classified in classes. If you hold claims or equity interests in more than one class, you will receive a ballot for each class in which you are entitled to vote.

The Amended Plan classifies claims separately and provides for different treatment of different classes of claims. If you are receiving this ballot, then a preliminary analysis has determined that you have a claim in one of the classes. You should read the Amended Plan carefully to accurately determine in which class your claim belongs.

If your ballot is not received by Lefkovitz and Lefkovitz, PLLC on or before **January 20, 2023**, and such deadline is not extended, your vote will not count as either an acceptance or rejection of the Amended Plan.

If the Amended Plan is confirmed by the Bankruptcy Court, it will be binding on you, whether or not you vote. If you return your ballot but fail to indicate whether you accept or reject the Amended Plan, you will be deemed to have accepted it.

**[SEE REVERSE FOR BALLOT]**

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<b>Susan Alice Estrada,</b>	)	<b>Chapter 11, Subchapter V</b>
	)	<b>Judge Randal S. Mashburn</b>
	)	
<b>Debtors.</b>	)	

**BALLOT FOR ACCEPTING OR REJECTING  
CHAPTER 11 AMENDED PLAN OF REORGANIZATION**

The undersigned Claimant is a holder of a Class \_\_\_\_\_ claim against the Debtor. With respect to the Amended Plan, Claimant (check one line only):

\_\_\_\_\_ Accepts the Amended Plan

\_\_\_\_\_ Rejects the Amended Plan.

DATED: \_\_\_\_\_

Print or type name of Claimant: \_\_\_\_\_

Print or type name of person signing ballot: \_\_\_\_\_

Print or type title of person signing ballot: \_\_\_\_\_

Signature: \_\_\_\_\_

Claimant Address: \_\_\_\_\_

**RETURN THIS BALLOT ON OR BEFORE JANUARY 20, 2023, TO:**

Steven L. Lefkovitz, No. 5953  
Attorney for Debtors  
908 Harpeth Valley Place  
Nashville, Tennessee 37221  
Phone: (615) 256-8300  
Fax: (615) 255-4516  
Email: slefkovitz@lefkovitz.com

This Order has been electronically  
signed. The Judge's signature and  
Court's seal appear at the top of the  
first page.  
United States Bankruptcy Court.